

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	MISC. ACTION NO.
)	2:19mc3875-MHT
)	(WO)
ANSWERED PRAYER HOME)	
HEALTH CARE,)	
Montgomery, AL,)	
)	
Garnishee,)	
)	
MARY BENNETT,)	
)	
Defendant.)	

ORDER

The government filed this garnishment action on June 12, 2019. Rule 4(m) of the Federal Rules of Civil Procedure provides:

"If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period."

More than 90 days have passed, but defendant Mary Bennett has not been served. Furthermore, the

garnishee has not filed an answer, but the government has not taken any action as a result. *See generally* 28 U.S.C. § 3205(6).

Therefore, it is ORDERED that the government show cause, if any there be, by November 6, 2019, as to why this case should not be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 4(m), or for failure to prosecute. In lieu of showing cause, the government may instead, by the above deadline, provide proof of service on defendant and/or file an appropriate motion to advance or resolve this case.

DONE, this the 18th day of October, 2019.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE